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Attorney for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE UNITED STATES OF AMERICA,)
) 2:18-CR-00222-JCM-NJK
Plaintiff,) (First Request)
)
vs.)
)
PERRY MACKLIN, JR.,)
)
Defendant.)
_____)

**STIPULATION AND ORDER FOR EXTENSION OF TIME TO
FILE OBJECTIONS TO THE PRESENTENCE INVESTIGATION REPORT
AND CONTINUE SENTENCING**

Certification: This Stipulation and Order is being timely filed

IT IS HEREBY STIPULATED by and between Nicholas A. Trutanich, United States Attorney and, CHRISTOPHER BURTON, Assistant United States Attorney, Counsel for the United States of America and, LANCE A. MANINGO, of Maningo Law, counsel for Defendant PERRY MACKLIN, JR., that Defendant's objections to the Presentence Investigation Report are due March 27, 2020, and that sentencing currently set on April 21, 2020, be vacated and continued forty-five (45) days or at a date and time convenient to this Honorable Court.

This Stipulation is entered into for the following reasons:

1. That counsel received the Presentence Investigation Report on March 13, 2020;

2. That MACKLIN's objections to the Presentence Investigation Report are due on March 27, 2020;
3. That MACKLIN contacted undersigned counsel on March 17, 2020, requesting counsel go to Nevada Southern Detention Center to discuss objections to the PSR;
4. That due to the recent outbreak of COVID-19, undersigned counsel is unable to visit with MACKLIN in a private manner, as they are only allowing video conferences which is located in the facilities lobby;
5. That counsel needs additional time to prepare objections to the Presentence Investigation Report and communicate with MACKLIN as well as prepare for sentencing;
6. That the AUSA Christopher Burton is agreeable to the continuance;
7. That counsel has spoken to his client, PERRY MACKLIN, who is in custody, and he has no objection to the continuance;
8. That denial of this request for continuance would deny the Defendant, PERRY MACKLIN, sufficient time within which to effectively make objections to his Presentence Investigation Report, if any, and thoroughly prepare for sentencing, taking into account the exercise of due diligence; and
9. That denial of this request for a continuance could result in a miscarriage of justice.

RESPECTFULLY SUBMITTED this 23rd day of March, 2020.

NICHOLAS A. TRUTANICH
United States Attorney
By: /s/ Christopher Burton
CHRISTOPHER BURTON
Assistant United States Attorney
Counsel for Plaintiff

MANINGO LAW
By: /s/ Lance Maningo
LANCE MANINGO, ESQ.
Counsel for Defendant MACKLIN

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)
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FINDINGS OF FACT

Based upon the pending Stipulation of the parties, and good cause therefore, the Court finds that:

1. That counsel received the Presentence Investigation Report on March 13, 2020;
2. That MACKLIN's objections to the Presentence Investigation Report are due on March 27, 2020;
3. That MACKLIN contacted undersigned counsel on March 17, 2020, requesting counsel go to Nevada Southern Detention Center to discuss objections to the PSR;
4. That due to the recent outbreak of COVID-19, undersigned counsel is unable to visit with MACKLIN in a private manner, as they are only allowing video conferences which is located in the facilities lobby;
5. That counsel needs additional time to prepare objections to the Presentence Investigation Report and communicate with MACKLIN as well as prepare for sentencing;
6. That the AUSA Christopher Burton is agreeable to the continuance;

7. That counsel has spoken to his client, PERRY MACKLIN, who is in custody, and he has no objection to the continuance;
8. That denial of this request for continuance would deny the Defendant, PERRY MACKLIN, sufficient time within which to effectively make objections to his Presentence Investigation Report, if any, and thoroughly prepare for sentencing, taking into account the exercise of due diligence; and
9. That denial of this request for a continuance could result in a miscarriage of justice.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED that the deadline to file objections to the Presentence Investigation Report, previously set for March 27, 2020 is elapsed and continued to May 21, 2020;

IT IS FURTHER ORDERED that the that sentencing in this matter currently scheduled for April 21, 2020 at 10:30 a.m. be vacated and continued to June 5, 2020 at 10:30 a.m. in the above-noted Federal Courthouse.

DATED March 26, 2020.


UNITED STATES DISTRICT JUDGE

Respectfully submitted by:

/s/ Lance Maningo
LANCE A. MANINGO, ESQ.
Nevada Bar No.: 006405
400 S. 4th Street, Suite 650
Las Vegas, Nevada 89101
Attorney for Defendant